

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Alfred Villa,

NO. C 03-04766 JW

Petitioner,

AMENDED JUDGMENT

v.

Michael Knowles, Warden,

Respondent.


Pursuant to the Court's September 27, 2010 Order Granting Petition for Habeas Corpus, judgment is entered in favor of Petitioner Alfred Villa against Respondent Michael Knowles, Warden.

This case is remanded to the state trial court amend Petitioner's Judgment as follows:

- (1) As to pre-sentence credits, Petitioner's pre-sentence credits shall be recalculated pursuant to Penal Code § 4019, and he shall be awarded 142 days § 4019 credits. The court shall issue a minute order and Amended Judgment to reflect these modifications.
- (2) With respect to post-conviction credits, the trial court shall issue a minute order and amended abstract of judgment to the Department of Corrections to restrict Petitioner's prison credits under Penal Code § 2933.1 only as to the 12 years of consecutive sentences imposed as to Counts 14 and 15, and order that as to all other portions of Petitioner's sentence, he is entitled to the one-for-one credits of § 2933.

The Clerk shall close this file.

Dated: September 27, 2010



JAMES WARE
United States District Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

Arthur Paul Beever arthur.beever@doj.ca.gov
Glenn R. Pruden glenn.pruden@doj.ca.gov
John H. Deist John.Deist@doj.ca.gov
William M. Robinson bill@sdap.org

Dated: September 27, 2010

Richard W. Wieking, Clerk

**By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy**